



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/17/9277

4/13/01

BRANCH

112-003 CPUS

EXAMINER
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WORTMAN

ART UNIT	PAPER NUMBER
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1648

22

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

- (1) DONNA WORTMAN, USPTO (3) JOSE L. WALCOWSKI, inventor  
(2) Andrea Branch, inventor (4) Megan E. Williams, Apple rep  
Date of Interview 11/5/03 (5) Betty Hanley, Apple rep.

Type: ☐ Telephonic ☐ Televideo Conference ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: pending

Identification of prior art discussed: Lo et al. and Kim et al., of record;  
Varekilioti et al., of record

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant presented  
arguments and will cite documentation intended to demonstrate that  
prior art practices are different from those claimed, and will present  
information intended to show that broad claims are enabled.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

Examiner Note: You must sign this form unless it is an attachment to another form.

*D. Carlos L.*

Except as otherwise provided, a complete written statement as to the substance of any face-to-face or telephone interview with regard to an application must be made of record in the application, whether or not an agreement with the examiner was reached at the interview.

(b) In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111 and 1.135 (35 U.S.C. 132).

**§ 1.2. Business to be transacted in writing.** All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to, any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete a two-sheet carbonated Interview Summary Form for each interview held after January 1, 1978 where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks in neat handwritten form using a ball point pen. Discussions regarding only procedural matters, directed solely to a restriction requirement for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, pointing out typographical errors or verbatim dicta in Office actions or the like, or resulting in an examiner's amendment that fully sets forth the agreement are excluded from the interview recordation procedures below.

The Interview Summary Form shall be written on appropriate paper (noted, pre-ruled or the right hand portion of the file), and listed on the "Contents" list on the file wrapper. In a personal interview, the duplicate copy of the Form is removed and given to the applicant (or attorney or agent). At the conclusion of the interview, in the case of a telephonic interview, this step is made to the applicant's representative address either with or prior to the next official communication.

The Firm provides for recapture of the following information:

- Application Number of the application
- Name of applicant
  - Name of examiner
  - Date of interview
  - Type of interview (personal or telephonic)
  - Name of participants (applicant, attorney or agent, etc.)
  - An indication whether or not an oral interview was subject of a communication proceeding
  - An identification of the claim discussed
  - An identification of the specific prior art discussed
  - An indication whether an objection is or was filed and if so, a description of the general nature of the objection (may be by attachment of a copy of submissions or claims wherein an objection is made)
  - An indication, if applicable, and description and use not requiring further action by the examiner to the contrary
  - The signature of the examiner who conducted the interview
  - Names of other Patent and Trademark Office personnel present

The form also contains a statement regarding the applicant's responsibility to record the substance of the interview.

It is understood that the examiner will not record the applicant's responses to the questions asked the substance of the interview in each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should check a box at the bottom of the Form indicating the applicant that his need not supplement the Form by submitting a separate record of the substance of the interview.

It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview:

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted.  
2) An identification of the claims discussed.  
3) An identification of specific prior art discussed.  
4) An identification of the principal proposed amendments to a substantive nature discussed. Unless these are already described on the Interview Summary Form completed by the examiner.  
5) Brief particulars of the principal thrust of the principal arguments presented to the examiner. The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The substance of the arguments need not be stated if they are generally well known to the examiner. The thrust of the principal arguments, made to the examiner can be understood in this context of the application file. Of course, the applicant may desire to elaborate on the principal arguments, those arguments which the examiner may find persuasive to the examiner.  
6) A general indication of any other material matters discussed.  
7) Appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete or accurate, the examiner will give the applicant one month from the date of the denying letter to complete the reply and thereby avoid abandonment of the application (37 CFR 1.135(c)).

Examiner to Check Is: Accuracy[illegible]